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# **Notice of Allowability**

Application No.

09/705,281

Examiner

Duc C. Ho

Applicant(s)

HAMMOND, DAN

Art Unit

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## **-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to the amendment filed 12-05-05.
2. ☒ The allowed claim(s) is/are 1-9, 11-12, 15, 17-18, 21, 26-28, 30-31, 35-37, 46, 38, 45, 48-49, 52-53, 60, 65-68, 70, 77, 79, 80-85, 91, 92, 93, 97-99, 95-96, 100-110, 115-117, 122, 118-121, 123-129, and 131-132. Renumbered 1-80, respectively.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12-23-05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER 'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas J. Meaney on 12-23-05.

The application has been amended as follows:

In the claims:

Claim 115, line 1, "claim 114" has been changed into --- claim 110 ---.

Claim 117, line 1, "claim 111" has been changed into --- claim 110 ---.

Claim 121, line 1, "claim 114" has been changed into --- claim 110 ---.

Claim 123, line 1, "claim 111" has been changed into --- claim 110 ---.

### ***Reason for Allowance***

2. Regarding claims 1-9, 11-12, 15, 17-18, 21, 26-28, 30, 53, 60, 65-68, 70, 92-93, 97-99, 95-96, and 100-109, the prior art fails to teach or suggest an interactive voice response system comprising a processor within the communication device to locally execute the transmitted application logic defining at least one voice response application providing responsive information to requests made in the executing, wherein the responsive information is obtained

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from the application repository when the set of potentially responsive information does not contain the responsive information, in combination with other limitations, as specified in the independent claims 1, 53, and 92.

Regarding claims 31, 35-37, 46, 38, 45, 48, 49, 52, 77, 79-80, 126-129, and 131-132, the prior art fails to teach a method for providing an interactive voice response application to a user on a communication unit comprising the steps of downloading software code defining the interactive voice response application and a set of potentially responsive information to the communication unit from the multimedia application repository, and obtaining the responsive information from the multimedia application repository when the responsive information is not found in the set of responsive information, in combination with other limitations, as specified in the independent claims 31, 77, and 126.

Regarding claims 81-85, and 91, the prior art fails to teach a method for obtaining media information on a communication device using a locally executed interactive voice application, the method comprising the steps of receiving application logic defining an interactive voice application from an application repository into the communication device to locally execute the interactive voice response session; receiving a set of potentially responsive multimedia information to the communication unit from the application repository, and wherein the responsive multimedia information is obtained from the application repository when the responsive multimedia information is not found in the set of potentially responsive multimedia information, in combination with other limitations, as specified in the independent claim 81.

Regarding claims 110, 115-117, 122, 118-121, and 123-125, the prior art fails to teach a method for providing an interactive voice response application to a user on a communication unit

comprising the steps of downloading software code defining the interactive voice response application and a set of potentially responsive information to the communication unit from the multimedia application repository, and obtaining the responsive information from the multimedia application repository when the responsive information is not found in the set of responsive information, in combination with other limitations, as specified in the independent claim 110.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Ho whose telephone number is (571) 272-3147. The examiner can normally be reached on Monday through Friday from 7:00 am to 3:30 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

A handwritten signature in black ink, appearing to read 'Duc Ho', written in a cursive style.

Duc Ho

12-23-05